

SENATE BILL No. 348

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-22-2-37.1; IC 36-12.1.

Synopsis: Library services planning. Requires the Indiana library and historical board to adopt emergency rules not later than July 1, 2009, establishing statewide library standards for the delivery of library service to every resident of Indiana. Establishes a public library service planning committee (committee) in each county to prepare a library services plan for the county. Requires the committee to select one of the following library service models to implement in the county: (1) A consolidated countywide system. (2) A consolidated system of two or more counties. (3) Two or more independently governed library systems within a county. (4) A multisystem or multiple county alliance of independently governed library systems. (5) A multisystem or multiple county federation of independently governed library systems. Requires the state library to conduct regional training sessions to educate the committees on the planning process and library service models. Requires the state library to assist the counties in preparing and implementing the plan, obtaining grants and funding the plan. Requires the committee to conduct a public hearing and consider public testimony in preparing the plan. Requires the committee to submit the plan to the state library not later than July 1, 2010. Provides that if a committee fails to adopt a plan, the state library shall prepare and adopt a plan to be implemented in the county. Requires the state library to review a plan to ensure that the plan meets the statewide standards and approve it before the plan may be implemented. Requires libraries in each county to reorganize according to the plan adopted for the county. Beginning January 1, 2012, requires the state library to annually report to the general assembly and the governor on the implemented plans and the plan budgets.

Effective: Upon passage.

Gard

January 8, 2009, read first time and referred to Committee on Local Government.



C
o
p
y

Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 348

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-22-2-37.1, AS AMENDED BY P.L.90-2008,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 37.1. (a) This section applies to a rulemaking
4 action resulting in any of the following rules:

5 (1) An order adopted by the commissioner of the Indiana
6 department of transportation under IC 9-20-1-3(d) or
7 IC 9-21-4-7(a) and designated by the commissioner as an
8 emergency rule.

9 (2) An action taken by the director of the department of natural
10 resources under IC 14-22-2-6(d) or IC 14-22-6-13.

11 (3) An emergency temporary standard adopted by the
12 occupational safety standards commission under
13 IC 22-8-1.1-16.1.

14 (4) An emergency rule adopted by the solid waste management
15 board under IC 13-22-2-3 and classifying a waste as hazardous.

16 (5) A rule, other than a rule described in subdivision (6), adopted
17 by the department of financial institutions under IC 24-4.5-6-107



C
o
p
y

and declared necessary to meet an emergency.

(6) A rule required under IC 24-4.5-1-106 that is adopted by the department of financial institutions and declared necessary to meet an emergency under IC 24-4.5-6-107.

(7) A rule adopted by the Indiana utility regulatory commission to address an emergency under IC 8-1-2-113.

(8) An emergency rule adopted by the state lottery commission under IC 4-30-3-9.

(9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the executive board of the state department of health declares is necessary to meet an emergency.

(10) An emergency rule adopted by the Indiana finance authority under IC 8-21-12.

(11) An emergency rule adopted by the insurance commissioner under IC 27-1-23-7.

(12) An emergency rule adopted by the Indiana horse racing commission under IC 4-31-3-9.

(13) An emergency rule adopted by the air pollution control board, the solid waste management board, or the water pollution control board under IC 13-15-4-10(4) or to comply with a deadline required by or other date provided by federal law, provided:

(A) the variance procedures are included in the rules; and

(B) permits or licenses granted during the period the emergency rule is in effect are reviewed after the emergency rule expires.

(14) An emergency rule adopted by the Indiana election commission under IC 3-6-4.1-14.

(15) An emergency rule adopted by the department of natural resources under IC 14-10-2-5.

(16) An emergency rule adopted by the Indiana gaming commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3, IC 4-33-4-14, or IC 4-35-4-2.

(17) An emergency rule adopted by the alcohol and tobacco commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or IC 7.1-3-20-24.4.

(18) An emergency rule adopted by the department of financial institutions under IC 28-15-11.

(19) An emergency rule adopted by the office of the secretary of family and social services under IC 12-8-1-12.

(20) An emergency rule adopted by the office of the children's health insurance program under IC 12-17.6-2-11.

**C
O
P
Y**



(21) An emergency rule adopted by the office of Medicaid policy and planning under IC 12-15-41-15.

(22) An emergency rule adopted by the Indiana state board of animal health under IC 15-17-10-9.

(23) An emergency rule adopted by the board of directors of the Indiana education savings authority under IC 21-9-4-7.

(24) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-34 (repealed).

(25) An emergency rule adopted by the department of local government finance under IC 6-1.1-4-33 (repealed).

(26) An emergency rule adopted by the boiler and pressure vessel rules board under IC 22-13-2-8(c).

(27) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-37(l) (repealed) or an emergency rule adopted by the department of local government finance under IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.

(28) An emergency rule adopted by the board of the Indiana economic development corporation under IC 5-28-5-8.

(29) A rule adopted by the department of financial institutions under IC 34-55-10-2.5.

(30) A rule adopted by the Indiana finance authority:

(A) under IC 8-15.5-7 approving user fees (as defined in IC 8-15.5-2-10) provided for in a public-private agreement under IC 8-15.5;

(B) under IC 8-15-2-17.2(a)(10):

(i) establishing enforcement procedures; and

(ii) making assessments for failure to pay required tolls;

(C) under IC 8-15-2-14(a)(3) authorizing the use of and establishing procedures for the implementation of the collection of user fees by electronic or other nonmanual means; or

(D) to make other changes to existing rules related to a toll road project to accommodate the provisions of a public-private agreement under IC 8-15.5.

(31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8.

(32) An emergency rule adopted by the Indiana library and historical board under IC 36-12.1-3.

(b) The following do not apply to rules described in subsection (a):

(1) Sections 24 through 36 of this chapter.

(2) IC 13-14-9.

(c) After a rule described in subsection (a) has been adopted by the

C
o
p
y



1 agency, the agency shall submit the rule to the publisher for the
 2 assignment of a document control number. The agency shall submit the
 3 rule in the form required by section 20 of this chapter and with the
 4 documents required by section 21 of this chapter. The publisher shall
 5 determine the format of the rule and other documents to be submitted
 6 under this subsection.

7 (d) After the document control number has been assigned, the
 8 agency shall submit the rule to the publisher for filing. The agency
 9 shall submit the rule in the form required by section 20 of this chapter
 10 and with the documents required by section 21 of this chapter. The
 11 publisher shall determine the format of the rule and other documents
 12 to be submitted under this subsection.

13 (e) Subject to section 39 of this chapter, the publisher shall:

- 14 (1) accept the rule for filing; and
- 15 (2) electronically record the date and time that the rule is
 16 accepted.

17 (f) A rule described in subsection (a) takes effect on the latest of the
 18 following dates:

- 19 (1) The effective date of the statute delegating authority to the
 20 agency to adopt the rule.
- 21 (2) The date and time that the rule is accepted for filing under
 22 subsection (e).
- 23 (3) The effective date stated by the adopting agency in the rule.
- 24 (4) The date of compliance with every requirement established by
 25 law as a prerequisite to the adoption or effectiveness of the rule.

26 (g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6,
 27 IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in
 28 subsections (j), (k), and (l), a rule adopted under this section expires
 29 not later than ninety (90) days after the rule is accepted for filing under
 30 subsection (e). Except for a rule adopted under subsection (a)(13),
 31 (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting
 32 another rule under this section, but only for one (1) extension period.
 33 The extension period for a rule adopted under subsection (a)(28) may
 34 not exceed the period for which the original rule was in effect. A rule
 35 adopted under subsection (a)(13) may be extended for two (2)
 36 extension periods. Subject to subsection (j), a rule adopted under
 37 subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited
 38 number of extension periods. Except for a rule adopted under
 39 subsection (a)(13), for a rule adopted under this section to be effective
 40 after one (1) extension period, the rule must be adopted under:

- 41 (1) sections 24 through 36 of this chapter; or
- 42 (2) IC 13-14-9;

C
o
p
y



as applicable.

(h) A rule described in subsection (a)(8), (a)(12), or (a)(29) expires on the earlier of the following dates:

(1) The expiration date stated by the adopting agency in the rule.

(2) The date that the rule is amended or repealed by a later rule adopted under sections 24 through 36 of this chapter or this section.

(i) This section may not be used to readopt a rule under IC 4-22-2.5.

(j) A rule described in subsection (a)(24) or (a)(25) expires not later than January 1, 2006.

(k) A rule described in subsection (a)(28) expires on the expiration date stated by the board of the Indiana economic development corporation in the rule.

(l) A rule described in subsection (a)(30) expires on the expiration date stated by the Indiana finance authority in the rule.

(m) A rule described in subsection (a)(5) or (a)(6) expires on the date the department is next required to issue a rule under the statute authorizing or requiring the rule.

SECTION 2. IC 36-12.1 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 12.1 LIBRARY REORGANIZATION

Chapter 1. General Provisions

Sec. 1. This article contains full and complete authority for the reorganization of library districts under a plan adopted in accordance with this article.

Sec. 2. Except as otherwise specifically provided by law, to the extent the provisions of this article are inconsistent with the provisions of any other general, special, or local law, the provisions of this article are controlling, and compliance with this article shall be treated as compliance with the conflicting law.

Chapter 2. Definitions

Sec. 1. The definitions in IC 36-12-1 and this chapter apply throughout this article.

Sec. 2. "Board" means the Indiana library and historical board established under IC 4-23-7-2.

Sec. 3. "Committee" means a public library service planning committee established under IC 36-12.1-4-1.

Sec. 4. "Plan" means a library services plan prepared by a committee under IC 36-12.1-4.

Sec. 5. "State library" refers to the Indiana state library established by IC 4-23-7-3.

C
o
p
y



1 **Sec. 6. "Statewide standards" means the statewide library**
 2 **standards adopted by the state library under IC 36-12.1-3.**

3 **Chapter 3. Statewide Library Standards**

4 **Sec. 1. Not later than July 1, 2009, the Indiana library and**
 5 **historical board shall adopt emergency rules under IC 4-22-2-37.1**
 6 **establishing statewide standards for the delivery of consistent,**
 7 **quality library service to every resident of Indiana.**

8 **Sec. 2. The standards must include the following:**

9 **(1) General administrative standards for library board and**
 10 **staff, including standards governing:**

11 **(A) training of library board members and staff;**

12 **(B) equipment and facilities for administrative staff;**

13 **(C) keeping of statistics, using a statewide format to**
 14 **measure the provision of services;**

15 **(D) routine evaluation of county library services, including**
 16 **administrative services, to determine if service is meeting**
 17 **statewide standards;**

18 **(E) communication between public libraries and public**
 19 **library systems on matters of mutual benefit and mutual**
 20 **sharing of resources and expertise;**

21 **(F) exploring cost effective approaches to services and**
 22 **administration, including reviewing alternate methods of**
 23 **providing service;**

24 **(G) use of consulting services to assist public libraries in**
 25 **areas such as collection management, expansion and**
 26 **development of library service, interlibrary cooperation**
 27 **activities, planning, budgeting, and grants development;**
 28 **and**

29 **(H) any other subject considered by the board to be**
 30 **necessary.**

31 **(2) Automation and technology standards, including**
 32 **standards governing:**

33 **(A) a shared automation program among libraries,**
 34 **including automated circulation and bibliographic access;**

35 **(B) a statewide format for cataloging library materials and**
 36 **inputting computerized bibliographic records;**

37 **(C) criteria for testing and implementing new technologies;**

38 **(D) minimum qualifications of automation/technology**
 39 **consultants; and**

40 **(E) any other subject considered by the board to be**
 41 **necessary.**

42 **(3) Standards regarding delivery of library materials,**

C
O
P
Y



including standards governing:

(A) minimum deliveries of library materials to libraries within a county, taking into account geographic distribution of libraries, volume of library traffic, and any other factor considered relevant by the board;

(B) vehicular delivery service, whether the library's own or a contracted service that allows responsiveness and provides flexible scheduling;

(C) uniform format for delivery schedules to facilitate delivery of materials between libraries;

(D) uniform procedures for:

(i) library material packaging and indemnification of suppliers for loss or damage in delivery; and

(ii) guarantees on payment for materials lost in transit;

(E) uniform procedures to be used when other means of delivery is appropriate such as delivery by facsimile (fax), electronic mail, United States mail, or private delivery service; and

(F) any other subject considered by the board to be necessary.

(4) Standards regarding interlibrary loans, including standards governing:

(A) interlibrary codes and procedures that encourage interlibrary loans;

(B) appropriate time frames for processing interlibrary loan requests;

(C) interlibrary loan performance assessment to identify and discuss areas needing improvement;

(D) technology to facilitate interlibrary loans, including direct access to local, regional, national, and international bibliographical data bases; and

(E) any other subject considered by the board to be necessary.

(5) Reciprocal borrowing standards, including standards governing:

(A) the scope of reciprocal borrowing of library materials and limitations that individual libraries may establish for reciprocal borrowing;

(B) routine assessment of reciprocal borrowing to review patterns of reciprocal borrowing and whether the libraries are meeting the needs of primary clientele or relying on other members to meet local demand;

C
o
p
y



- (C) who is eligible for reciprocal borrowing;
- (D) standards for library cards that would enable the holder to have reciprocal access; and
- (E) any other subject considered by the board to be necessary.

(6) Standards regarding the provision of reference services, including standards governing:

- (A) responsibilities of libraries and procedures for transmitting and referring reference requests to other libraries;
- (B) minimum standards for responding to and fulfilling reference requests; and
- (C) any other subject considered by the state library to be necessary.

Sec. 3. The board may update the standards under section 2 of this chapter as necessary.

Chapter 4. Public Library Service Planning Committees

Sec. 1. (a) There is established a public library service planning committee in each county.

(b) Except as provided in subsection (c), the committee members are as follows:

- (1) Each library district in the county shall appoint two (2) members.
- (2) In addition to the members appointed under subdivision (1), the board of trustees of the largest library district in the county shall select at least two (2) but not more than three (3) members.
- (3) Each school district in the county shall appoint one (1) member.
- (4) Each executive of the two (2) municipalities with the largest population in the county shall appoint one (1) member.
- (5) One (1) county commissioner or the county commissioner's designee.
- (6) The president of the county council or the president's designee.
- (7) The township trustee of each township in the county not served by a library.
- (8) At least two (2) but not more than three (3) members selected by the county council.

(c) This subsection applies only to a county having a consolidated city. The committee shall be established as follows:

- (1) Each library district in the county shall appoint two (2)

**C
O
P
Y**



members.

(2) In addition to the members appointed under subdivision (1), the board of trustees of the largest library district in the county shall select at least two (2) but not more than three (3) members.

(3) Each school district in the county shall appoint one (1) member.

(4) The mayor of the consolidated city and the mayor of each excluded city in the county that has a library shall each appoint one (1) member.

(5) The mayor of the consolidated city or the mayor's designee is a member.

(6) The president of the city-county council or the president's designee is a member.

(7) The city-county council shall appoint at least two (2) but not more than three (3) members.

Sec. 2. (a) The first meeting of the committee shall be convened not later than July 1, 2009, by the president of the county council or the president's designee.

(b) The committee shall select a chairperson from among its members at the committee's first meeting.

Sec. 3. A majority of the committee constitutes a quorum. An affirmative vote of a majority of the members appointed to the committee is required for the committee to take action.

Sec. 4. (a) The members of a committee serve at the pleasure of the appointing authority.

(b) Members of the committee hold office for terms of four (4) years, subject to replacement as prescribed in this chapter. An appointed member who ceases to be a resident of the county or ceases or no longer holds the office the member held when appointed to the commission may not continue to serve on a committee.

Sec. 5. All proper expenses of a committee shall be paid from the budget of the state library, excluding office space and staff furnished by the county. The members of a committee serve without compensation but are entitled to reimbursement for the necessary expenses incurred in the performance of their duties.

Sec. 6. (a) A committee may do the following:

(1) Adopt procedures governing the internal management of the committee.

(2) Conduct public hearings on the plan as the committee determines necessary or appropriate.

C
o
p
y



(3) Review the books and records of any public library within the county.

(b) A committee is subject to IC 5-14-1.5 (open door law) and IC 5-14-3 (public records law).

Sec. 7. The committee shall prepare a plan that is designed to provide library services to all residents of the county that meet or exceed the statewide library standards.

Sec. 8. (a) The state library shall conduct training sessions for committee members in at least four (4) separate regional locations. The state library shall determine the locations of the training sessions. At least one (1) training session must be held in:

- (1) the northeastern part of Indiana;
- (2) the northwestern part of Indiana;
- (3) the southeastern part of Indiana; and
- (4) the southwestern part of Indiana.

The four (4) regional training sessions may not be held in Indianapolis. However, the state library may, after the conclusion of the four (4) training sessions, provide additional training sessions at locations determined by the state library.

(b) The training sessions must educate the committee on library service models and all other aspects of the planning and implementation process that the state library considers necessary.

Sec. 9. (a) In formulating a plan, the committee shall determine the following:

- (1) A general description of the public library districts and service areas of the county.
- (2) Which of the following library service models shall be used to provide library services for all residents of the county:
 - (A) A consolidated countywide public library system, funded by a countywide tax.
 - (B) A consolidated public library system of two (2) or more counties funded by countywide tax in each county that consolidates.
 - (C) Two (2) or more independently governed library systems within the county funded by a countywide tax in each of the participating counties.
 - (D) A multisystem or multiple county alliance of independently governed library systems:
 - (i) requiring collaboration and system sharing; and
 - (ii) that are each funded by a separate library tax.
 - (E) A multisystem or multiple county federation of independently governed library systems:

C
O
P
Y



- 1 (i) with a formally contracted shared management
- 2 system; and
- 3 (ii) that are each funded by a separate library tax.
- 4 (3) If existing public libraries are consolidated, the:
- 5 (1) assets;
- 6 (2) liabilities; and
- 7 (3) obligations;
- 8 of the existing public libraries shall be transferred to and
- 9 assumed by the new library district of which they are a part,
- 10 regardless of whether the plan provides for transfer and
- 11 assumption.
- 12 (b) The plan must be supported by a summary statement of:
- 13 (1) how the plan will satisfy the statewide standards;
- 14 (2) data showing the:
- 15 (A) assessed valuation of each proposed library district;
- 16 (B) population within the proposed library district;
- 17 (C) assessed valuation per person within the proposed
- 18 district; and
- 19 (D) property tax levies;
- 20 of each proposed district to which the plan applies; and
- 21 (3) any other data or information the committee considers
- 22 appropriate or that may be required by the state library.
- 23 (c) The committee shall base the assessed valuations and tax
- 24 levies referred to in subsection (b) on the assessed valuations
- 25 applying to taxes collected in the previous year.
- 26 (d) The committee may obtain the data and information
- 27 referred to in this subsection from any source the committee
- 28 considers reliable. If the committee attempts in good faith to
- 29 comply with this chapter, the summary statement referred to in
- 30 subsection (b)(1) is sufficient regardless of whether the statement
- 31 is accurate.
- 32 (e) If the boundary of a proposed library district does not follow
- 33 the boundary of an existing civil unit of government, the
- 34 description must set out the boundary:
- 35 (1) as near as reasonably possible by:
- 36 (A) streets;
- 37 (B) rivers; and
- 38 (C) other similar boundaries;
- 39 that are known by common names; or
- 40 (2) if descriptions specified in subdivision (1) are not possible,
- 41 by section lines or other legal description.
- 42 The description is not defective if there is a good faith effort by the

C
O
P
Y



committee to comply with this subsection or if the boundary may be ascertained with reasonable certainty by a person skilled in the area of real estate description. The committee may require the services of the county surveyor in preparing a description of a boundary line.

Sec. 10. (a) The state library shall adopt written guidelines to establish deadlines for the committee planning process, including establishing a deadline for committees to identify the library service model that the committee proposes to implement.

(b) The state library may advise and assist a committee in preparing and implementing the committee's plan.

Sec. 11. (a) The state library shall assist a committee in researching, developing, and receiving grants and funding from:

- (1) the federal government;
- (2) private foundations; or
- (3) any other source of funding;

to implement the plan.

(b) The state library shall provide technical and advisory services to committees on funding and management needed to implement the plan.

Sec. 12. (a) When a committee has prepared its plan, the committee shall fix dates and places for one (1) or more public hearings on the plan and give notice of the hearings to the residents of the county. The committee may hold more than one (1) hearing. The chairperson of the committee shall give the notice:

- (1) by publication at least one (1) time in one (1) newspaper of general circulation published in the county; and
- (2) in a newspaper having a general circulation in the two (2) municipalities with the largest population in the county;

at least ten (10) days but not more than thirty (30) days before the date of the hearing.

(b) At the hearing:

(1) the committee shall:

- (A) explain the proposed plan;
- (B) summarize the committee's proposed library service model; and
- (C) if the proposed plan includes consolidation of library systems, state the adjustment proposed for:
 - (i) property;
 - (ii) assets;
 - (iii) debts; and
 - (iv) other liabilities; and

C
O
P
Y



(2) any resident of the county may be heard with reference to:

(A) the proposed plan; or

(B) an alternative plan.

Sec. 13. (a) The committee shall consider any suggestions made in the public hearing and shall make any revisions or modifications in the committee's written plan as it considers necessary. The committee shall adopt its plan and submit it to the state library not later than July 1, 2010.

(b) This section expires December 31, 2010.

Sec. 14. (a) The state library:

(1) shall review the plan to ensure that the plan aligns with the statewide standards;

(2) may make written recommendations of modifications to the plan to ensure alignment; and

(3) shall return the plan and any recommendations to the committee.

(b) A committee may modify the plan to comply with recommendations made by the state library under subsection (a). The committee shall act on a modified plan of reorganization under sections 12 and 13 of this chapter in the same manner as the committee may take action on the initially submitted plan.

Sec. 15. If a plan proposes a library service model involving the consolidation, alliance, or federation of public library systems in two (2) or more counties, the committees of each county must approve the proposed plan and any modifications to the plan.

Sec. 16. (a) A plan does not become effective until the plan is approved by the state library.

(b) After the state library approves a plan, the state library shall promptly, by certified mail with return receipt requested, give written notice of the approval to:

(1) the chairperson of each committee submitting the plan;

(2) the county executive of each county subject to the plan;

(3) the county recorder of each county;

(4) the county fiscal body of each county; and

(5) the department of local government finance.

Sec. 17. (a) A plan approved by the state library and any reorganization, consolidation, alliance, or federation under the plan takes effect January 1, 2011.

(b) Any transfer of:

(1) powers;

(2) duties;

(3) property rights;

**C
o
p
y**



1 (4) other assets;
 2 (5) liabilities; and
 3 (6) contracts both as to rights and obligations;
 4 in implementing the plan takes place on January 1, 2011.

5 Sec. 18. The department of local government finance shall
 6 adjust maximum permissible ad valorem tax levies, tax rates, and
 7 budgets of political subdivisions as necessary to account for
 8 implementation of a plan.

9 Sec. 19. (a) If a committee fails to submit a plan to the state
 10 library before July 1, 2010, or the committee notifies the state
 11 library that the committee is unable to complete its plan, the state
 12 library shall prepare a plan to be implemented in the county. The
 13 state library shall follow the hearing and notice requirements
 14 under sections 12 and 13 of this chapter. The state library shall
 15 hold all hearings in the county that is the subject of the plan.

16 (b) The state library shall provide the notice that the state
 17 library has approved the plan in accordance with section 16 of this
 18 chapter. A plan prepared and approved by the state library takes
 19 effect as set forth in section 17 of this chapter.

20 Sec. 20. The state library shall prepare an annual report on all
 21 plans implemented in the state and the plan budgets. The state
 22 library shall submit the report to the general assembly in an
 23 electronic format under IC 5-14-6 and to the governor not later
 24 than January 1. The first report shall be submitted by the state
 25 library not later than January 1, 2012.

26 Sec. 21. The state library shall determine when a committee
 27 shall be dissolved after implementation of the county's plan.

28 SECTION 3. An emergency is declared for this act.

C
O
P
Y

